

Town of Arlington

Zoning Board of Appeals

Meeting Minutes

June 8, 2018

7:45 PM

Meeting Minutes

1. Docket # 3573 10 Sunnyside Avenue

Members in Attendance:

Patrick Quinn, Chair

Christian Klein, Vice Chair

Shawn O'Rourke, Esq.

Roger DuPont, Esq.

Kevin Mills

Docket #3573 10 Sunnyside Avenue

The Petitioner and owner of 10 Sunnyside Avenue LLC, George Mikhael applied for a Special Permit under Section 5.04 - Table of Use Regulations, Section 6.03 - Automotive Repair Garage, of The Town of Arlington Zoning Bylaw. The Petitioner was represented by his Attorney Mr. John Leone.

Mr. Leone explained to the Board that the property was located in Zone B-4. Automotive repair business is allowed in a B-4 Zoning District by Special Permit. Mr. Leone explained to the Board that his client currently uses the property for auto body work which is allowed by right in a B-4 Zone. Mr. Leone went on to outline the scope and intended additional service that his client was hoping to execute as part of his auto body repair business. In addition, it was noted that the Petitioner planned on extensive exterior betterments such as landscaping and fencing. The work would be contained within the building and the lifts were already in place.

Mr. Mills had concerns about the street parking. He went on to say that he travels up Sunnyside Ave on a daily basis to get to work. Mr. Mills went on to say that some days there are many cars in front of the Petitioners business and with the additional service, that number may increase.

Abutter and business owner Harry Allen of Arlmont Fuel rose to speak in opposition of the request. Mr. Allen explained to the Board that since May of 2017, traffic complaints have

"soared " due to Mr. Mikhael's business and urged the Board not to grant the Special Permit. Mr. Mills added that the concern was not only an inconvenience to commuters but was more concerned about emergency vehicles.

Chairman Quinn asked if there was anyone else that would like to speak, there were none. Mr. Quinn asked for a motion. Mr. O'Rourke made a motion to deny, and added that the neighbor's complaints were well founded.

Prior to a vote, Mr. Leone asked for a continuance. A continuance was granted.

Continuance Docket #3573 10 Sunnyside Avenue

September 4, 2018

Mr. Mikhael and Attorney Leone again appeared before the Board. Mr. Leone explained to the Board that the petitioner spent much time with the parking problem. The plan was to park cars off site until they were to be serviced. Mr. Mills reported that since the first hearing, the parking problem was the same, if not worse.

The motion to grant the petitioners request for a Special Permit was denied.

SO VOTED: 5-0